

## REMARKS

The Final Office Action mailed on January 6, 2006 rejected claims 1-5, 9, 10, 14-16, and 19-23; and merely were objected to claims 6-8, 11-13, 17 and 18 as depending from a rejected claim. In response, Applicants filed an amendment that cancelled claims 21-23.

The Advisory Action mailed on February 14, 2006 indicated that claims 1-20 were rejected and acknowledged cancellation of claims 21-23. It is assumed that the statement that all of claims 1-20 stand rejected was in error, as otherwise the Advisory Action contained a new ground of rejection which was not necessitated by any act of the Applicants and thus would be improper without withdrawing the Final Office Action. Section 2 in the Advisory Action also indicated that a Notice of Appeal was filed on January 23, 2006. An appeal has not been filed in this application.

Therefore, Applicants in submitting the accompanying Request for Continued Examination and this amendment presume that the status of the application is as stated in the Final Office Action mailed on January 6, 2006.

This amendment adds claims 24 and 25. Therefore, claims 1-20 and 24-25 will be pending after entry of this amendment.

### **Rejection Under 35 U.S.C. §102**

Claims 1-5, 9-10, 14-16 and 19-20 were rejected under 35 U.S.C. §102 as being anticipated by Parker, *et al.*

Claims 1 and 9 have been amended to state that the base plate has either one planar surface or a first planar surface with openings therein. One of a plurality of electrohydraulic

valves is received in each of those openings in a manner in which the valves abut the that single planar surface. For example, in Figure 2 of the present application, the tabs 28 on each valve 21-23 contact the same (the first or one) planar surface 18 of the base plate 12.

The valves in Parker, *et al.* do not all contact the same planar surface, but at best different planar surfaces. As shown in Figure 1 of that patent, the upper end of each valve 42 fits into a tubular boss 30 of a gasket 28 that projects through the aperture 70 in the retaining bracket (base plate) 74, thereby spacing the valves from a common planar surface of that bracket/plate. However, the rejection identified the plurality of bent projections 78, which in Figure 2 extend from the base plate 74, as abutting the valves. Each of those projections first bends outward from the lower major surface of the base plate and then bends a second time to be parallel to that major surface. Therefore, the portion of each projection that abuts a valve constitutes a separate planar surface from the other projection surfaces and those portions are not part of the same planar surface (i.e. the one or the first planar surface) as in claims 1 and 9.

Therefore, the Parker, *et al.* patent does not teach all the valves contacting the same planar surface of the base plate and claims 1-15 are not anticipated 35 U.S.C. §102.

In addition, claim 1 specifies a bar attached to the base plate and to the plurality of electrohydraulic valves in a manner that permits movement between the base plate and the valves. For example in Figure 1 of the present application, the flexible bar 34 is cantilevered from a support member 32 that is attached to the base plate 12. This allows the valves 21-23 to move parallel to the base plate as the bar 34 flexes with respect to the attachment post 32

(application paragraph 0042). This accommodates manufacturing tolerances of the various components.

That motion is not possible with the valve assembly in the Parker, *et al.* patent. The Office Action considers the lead frame 80 attached to the valves in the reference to correspond to the claimed bar. However, with reference to the patent's Figures 3a and 3b, the lead frame 80 has a plurality of stanchions 84 that align with apertures in the base plate 74 through which screws 86 extend to secure the lead frame to that plate (column 4, lines 54-61). Securing many stanchions in this manner, as well as the lead frame 80 being oriented in a plane parallel to the plane of the base plate 74, precludes motion between the plurality of valves and the base plate. Thus these features further distinguish claims 1-9 from the Parker, *et al.* assembly.

Claim 3 has been amended to incorporate the allowable subject matter from claim 8, thereby rendering claims 3-7 allowable.

In addition to being amended as stated above, Claim 9 has been amended further to state that the lead frame is attached by only one post to the base plate, thereby enabling the flexible bar that projects from the post to bend and enable motion of the plurality of electrohydraulic valves, which also are attached to the bar. This valve assembly is patentably distinguished from the apparatus in the Parker, *et al.* patent for the reasons expressed above and also because that patent shows a plurality of posts, stanchions 84, securing the lead frame to the base plate.

Dependent claim 15 recites each of the valves having a tab which is clamped between the first planar surface of the base plate and the engine manifold when a fastener secures those components. Although the Office Action has identified tabs 74 on the valves 42, those tabs are engaged by the bent projections 78 of the base plate 74 and by the boss 30 on a gasket 28. As a consequence, that tab on the valve is not clamped in the claimed manner.

Therefore, claims 9-15 are not anticipated by the Parker, *et al.* patent.

Claim 16 as amended herein also states that the lead frame has only one post attached to and projecting orthogonally from the base plate. The lead frame also has a bar that is cantilevered from that single post and secured to all the valves in a manner that permits movement of those valves with respect to the base plate. As stated previously, the lead frame 80 in the Parker, *et al.* assembly has many posts (stanchions 84), that are secured by screws to the base plate 74 (see Figure 3b). That plurality of attachment posts does not provide a cantilevered bar, much less cantilevering in a manner that allows motion of the electrohydraulic valves secured to that bar. Therefore, claims 16-20 are patentable over the Parker, *et al.* apparatus.

### **New Claims**

New claim 24 specifies that each of the plurality of electrohydraulic valves has a tab clamped against the one planar surface and the manifold by a fastener. As stated above with respect to claim 15, nothing on the Parker, *et al.* valves, including the tabs 74 identified in the Office Action, is clamped in the claimed manner. Therefore, claim 24 is not taught or even suggested by that patent.

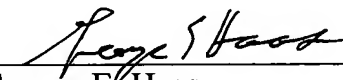
Claim 25 states that the bar in claim 1 comprises only one attachment member (e.g. post 32) engaging the base plate and from which the bar is cantilevered. As noted above, the Parker, *et al.* bar 80 has many stanchions 84 secured by screws to the base plate 74. Therefore, the structure in claim 24 is not disclosed in the reference.

### **Conclusion**

In view of the above-identified distinctions between the presently amended claims and the valve assembly in the Parker, *et al.* patent, claims 1-5, 9-10, 14-16, 19-20 and 24-25 are not anticipated by that earlier device. As a consequence, Applicants respectfully request reconsideration and allowance of the present application.

Respectfully submitted,  
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